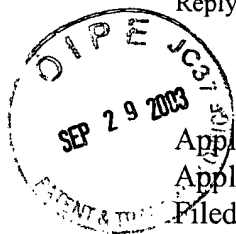


Appl. No. 09/681,065
Comments dated Sept. 25, 2003
Reply to Notice of Allowability of July 16, 2003



Appl. No. : 09/681,065
Applicant : Martin C. Robinson
Filed : December 15, 2000
Title : SYSTEM, APPARATUS AND METHOD FOR MARKING
AND TRACKING BULK FLOWABLE MATERIAL

TC/A.U. : 2876
Examiner : Mr. Jared Fureman

Docket No. : 99R1360

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In response to the Notice of Allowability mailed on July 16, 2003, Applicant offers the accompanying comments.

Comments on the Statement of Reasons for Allowance appear in the remarks which begin on page 2 of this paper.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that, on the date shown below, this **Comments on Statement of Reasons for Allowance**, consisting of three (3) pages, is being deposited with sufficient postage with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia. 22313-1450.

Date: September 25, 2003

Michael F. Williams, Reg. No. 39,875

Comments on Statement of Reasons for Allowance

Regarding the reasons for allowance stated in section 4, pages 4 through 7, of the Notice of Allowability, Applicant offers the following comments. The statements related to the Rawlins reference include the statement that Rawlins teaches “associating information . . . with the property identification marker concurrently with or after the automated marker dispenser dispenses a particular property identification marker into the flowing bulk flowable material.” Applicant wishes to clarify that Rawlins also does not teach a marker preparation component that associates or stores information with, on or in markers concurrently with (or after) the dispensing of the markers or concurrently with (or after) causing the bulk flowable material to flow. For example, in Rawlins, data is not added to or associated with a marker (such as a radio frequency identification tag) while markers are being dispensed or the material is made to flow. When the Rawlins marker is a radio frequency identification tag, for example, the data or number stored in the tag is not changed while markers are being dispensed or while the bulk flowable material is made to flow. Rather, in Rawlins, a number has been stored on the tags prior to any dispensing or causing to flow and that number is associated with a field location by a separate component (a computer) of the system. Thus, the association of the tag number with the field location is not performed by a marker preparation component. Further, the association of the tag number with the field location in Rawlins results in no change to the contents of the radio frequency identification tag.

Applicant also wishes to call attention to the explanation regarding the nature of reasons for allowance contained in MPEP section 1302.14. Section 1302.14 makes clear that an examiner’s statement of reasons for allowance “is not intended to necessarily state all the reasons

for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth.”

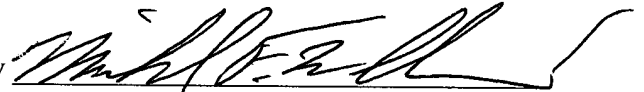
In closing, it is believed that this document commenting on the reasons for allowance is being submitted in a timely and appropriate fashion. It is being filed concurrently with the issue fee payment as suggested in the Notice of Allowability. The completed and signed “Part B – Fee(s) Transmittal” form and a check in payment of the issue and publication fees accompanies these comments. In addition, it is believed that the filing of these comments has not generated any additional fees. If it is determined, however, that additional fees are due in connection with this application, the Commissioner is hereby authorized to charge Deposit Account No. 19-2260 in the amount of such fees.

Respectfully submitted,

SIMMONS, PERRINE, ALBRIGHT &
ELLWOOD, P.L.C.

Sept. 25, 2003
Date

By



Michael F. Williams

Reg. No. 39,875

Tel.: (319) 366-7641 (ext. 222)